

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISON

UNITED STATES OF AMERICA)	
)	
Plaintiff,)	Case Number: 4:16CR00528 AGF
)	
vs.)	Honorable Audrey G. Fleissig
)	
BLAKE LAUBINGER, et al.,)	
)	Petition for Hearing by
Defendants.)	Ford Motor Credit Company, LLC
)	to Adjudicate its Interest in Property

PETITION FOR HEARING BY FORD MOTOR CREDIT COMPANY LLC TO
ADJUDICATE ITS INTEREST IN PROPERTY

COMES NOW Ford Motor Credit Company LLC, Petitioner, by its attorney, and pursuant to 21 U.S.C.S. § 853(n)(2) petitions this Court for a hearing to adjudicate the validity of its interest in property sought to be forfeited and states:

NATURE AND EXTENT OF PETITIONER'S INTEREST

1. Petitioner Ford Motor Credit Company LLC ("Petitioner" or "FMCC") holds a security interest in the 2014 Ford F-150 Svt Raptor, Vehicle Identification Number 1FTFW1R69EFD03224 ("Property") based on a Vehicle Retail Installment Contract ("Contract") dated December 4, 2014, executed by RACE MT LLC, a Montana limited liability company, and Defendant Todd Beckman, as guarantor, and assigned by the seller to FMCC. A true and correct copy of the Contract is attached and incorporated as Petitioner's Exhibit 1.

2. On or about January 30, 2015, the State of Montana issued a certificate of title on the Property listing FMCC as lien holder. A true and correct copy of the application for title and notice of lien filing are attached and incorporated as Petitioner's Exhibits 2 and 3, respectively.

3. Upon default, the Contract provides that FMCC may repossess the Property.

4. Pursuant to the terms of the Contract (page 2, Section I.1, 3, and 5), RACE MT LLC and Defendant Todd Beckman are in default as a result of:
 - a. the Property being secured by a federal authority and not promptly returned;
 - b. RACE MT LLC and Defendant Todd Beckman being in monetary default under the Contract as of February 3, 2018, with a payoff balance due of \$14,644.27 as of April 30, 2018, with interest thereafter at the contract rate of 3.74% per annum and FMCC's reasonable attorney fees; and
 - c. Petitioner's prospect of payment and/or performance is severely impaired as a result of the forfeiture action.
5. Plaintiff's right to immediate possession of the Property is superior to the rights of RACE MT LLC and Defendant Todd Beckman, or any other person or entity, to possession of said Property.

ADDITIONAL FACTS

6. This Petition for hearing is timely made.
7. A Preliminary Order of Forfeiture (*doc. #217*) as to property of Defendant Blake Laubinger, was entered on January 19, 2018, and said Property was listed in paragraph 2(e) of said Order.
8. Notice of Forfeiture (*doc. # 272*) was published pursuant to Rule 32.2(b)(6) but Petitioner did not receive notice as a potential claimant until August 9, 2018. A true and correct copy of the notice to Petitioner is attached and incorporated as Petitioner's Exhibit 4.
9. This Petition was filed within the thirty (30) days of the receipt of Notice of Forfeiture.

WHEREFORE, Ford Motor Credit Company LLC prays that this Court grant its Petition and set a hearing to adjudicate the validity of its interest in the 2014 Ford F-150 Svt Raptor and for any further relief as deemed just in the premises

Respectfully submitted this 8th day of September, 2018.

KRAMER & FRANK, P.C.



TIMOTHY M. BOSSLET, #29483MO

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Attorneys for Defendant

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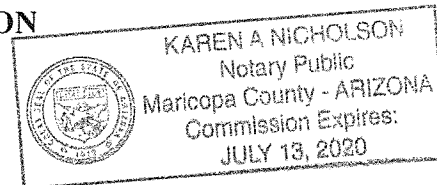
email: Eva.Kozeny@lawusa.com

(RACEEMFOR)

Attorney for Ford Motor Credit Company
LLC, Petitioner

VERIFICATION

STATE OF ARIZONA)
) SS
COUNTY OF MARICOPA)



Before me personally appeared Stephanie Dunstan who, as the
Account Services Representative of Ford Motor Credit Company LLC, declares
under penalty of perjury that he/she has read the foregoing Petition and the facts stated therein
are true and correct to the best of his/her knowledge, information and belief.

Sworn to and subscribed before me this 4th day of September, 2018.


NOTARY PUBLIC

My Commission Expires:

JUL 13 2020

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically with the U.S. District Court for the Eastern District of Missouri and was delivered by depositing an original in the U.S. Mail, postage prepaid and on the 5th day of September, 2018, to:

Stephen Casey
Assistant United States Attorney
U. S. Attorney's Office
Attn: Asset Forfeiture Unit
111 South Tenth Street, 20th Floor
St. Louis, MO 63102

A handwritten signature in black ink, appearing to read "Stephen Casey", is written over a horizontal line.